

REMARKS

The present after final amendment is in response to the Office Action dated August 12, 2005 in which the Examiner rejects claims 1-57. In response Applicant cancels the following claims: 2, 11-15, 17-20, 22-24, 26, 28-29, 32, 35-36, 39-43, 50-57. Applicant amends claims 1, 3-4, 6, 8, 16, 21, 25, 27, 30-31, 33, 37-38, 44-49. The now pending twenty-five (25) claims includes independent claims 1, 4, 6, 16, 30, and 44.

1. Claim Rejections under 35 USC 102

In paragraphs 2 of the Office Action, claims are rejected under 35 USC 102(e) as anticipated by Wilk (US6768789). In response, Applicant adds a claim element in each of the independent claims 1, 4, 6, 16, 30, and 44 which, in general, claims the device translating a message into a selected language. Support for this element may be found in Applicant's specification paragraph 28. Applicant asserts that the cited prior art references do not anticipate the claims as now amended as discussed further below.

Independent Claim 1 and dependent claim 3. Independent claim 1 comprises, among other things, the element "the processor translating the one message into the transmission language". Applicant asserts that the Wilk patent does not teach or suggest this element. Specifically, in Col. 7, lines 24-30 of the Wilk patent, it is disclosed that voice messages are recorded in different languages. Thus, the processor is not involved in translation, but merely would identify the requested message that is stored in memory. In contrast, Applicant's processor translates a text message into a selected language in the mobile device, and the translated message is sent. Since the Wilk patent does not teach or suggest this element, and the other cited references do not cure this basic deficiency (that is, neither the Enns nor the Makela publications disclose a translation process), Applicant respectfully asserts that Claim 1 and the claim dependent thereupon are patentable over the cited references.

Independent Claim 4 and dependent claim 5. Independent claim 5 comprises, inter alia, "translating the customizable concatenated message into the preferred language". As discussed above with reference to claim 1, the cited references to not teach or suggest this element, and Applicant respectfully asserts that independent claim 4, as now amended, is patentable over the cited prior art references.

Independent Claim 6 and dependent claims 7-10. Independent claim 6 comprises, among other elements, "translating the at least one customizable text message in the transmission language utilizing at translation process of the processor". The Wilk patent does not disclose this element, but instead discloses transmitting pre-recorded voice messages in other languages. Thus, claim 6 and the claims dependent thereupon are not anticipated by the Wilk patent. Further the Enns and the Makela references fail to cure this basic deficiency of the Wilk patent. As such, Applicant respectfully requests that the Examiner allow this claim set.

Independent Claim 16 and dependent claims 21, 25, and 27. Independent claim 16 comprises, inter alia, the step of "the processor translating the predefined message into the selected transmission language", which element is neither taught nor suggested by the prior art references. Thus, Applicant respectfully asserts that independent claim 16 and the claims dependent thereupon are patentable over the cited references.

Independent Claim 30 and dependent claims 31, 33, 34, and 37-38. Independent claim 30 comprises the element of " a processor for translating a selected predefined message into a preferred language of a selected at least one recipient." As discussed above, the prior art references do not teach or suggest this element. Applicant respectfully asserts that the claim 30 claim set is patentable over the prior art references.

Independent Claim 44 and dependent claims 45-49. Similarly, independent claim 44 comprises, among other things, "a translator function in the processor of the each mobile communication device for translating a selected predefined message of the plurality of predefined messages into a selected language." Since the Wilk patent, the Enns publication, and the Makela publication, alone or in combination, fail to teach or suggest this element, Applicant respectfully asserts that claim 44 and the claims dependent thereupon are patentable over the prior art.

2. Claim Rejections under 35 USC 103

In paragraphs 3, 4 and 5 of the Office Action, the Examiner rejects various claims as being unpatentable claim 2 is rejected under 35 USC 103(a) as being unpatentable over Wilk in view of one of Enns or Makela. Enns is presented as a reference that discloses a recipient list stored in memory, which list is available to a user to select recipients for receipt of a message. Makela is presented as a reference that discloses a feature of calendar and clock information in outgoing messages. In response to these rejections, and as discussed above, Applicant amended independent claims 1, 4, 6, 16, 30 and 44 to comprises an element of the translation of the text messages into a selected language. Since the cited references, alone or in combination, fail to teach or suggest these elements of the independent claims, Applicant respectfully asserts that these independent claims, and the claims dependent thereupon are patentable over the cited prior art.

3. Conclusion

Applicant asserts that the now pending claims 1, 3-10,16, 21, 25, 27, 30-31, 33-34, 37-38, and 44-49 are patentable over the cited prior art, and respectfully requests that the Examiner issue a notice of allowance for the now pending claims.

Respectfully Submitted,

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